

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
Aberdeen Division**

CHRISTOPHER L. SCHARKLET, SR.

Plaintiff

v.

CASE HEALTHCARE SOLUTIONS, INC.

Defendant

Case No.: 1:22-cv-193-SA-DAS

**DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S
FIRST AMENDED COMPLAINT OR, IN THE ALTERNATIVE,
FOR A MORE DEFINITE STATEMENT**

Defendant, Case Healthcare Solutions, Inc. (“Defendant”), by counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(e) and Local Civil Rule 7, hereby moves to dismiss the First Amended Complaint (ECF No. 24) filed by Plaintiff, Christopher L. Scharklet, Sr. (“Plaintiff”) in its entirety with prejudice or, in the alternative, to require Plaintiff to file a more definite statement. In support thereof, Defendant submits its Memorandum Brief filed contemporaneously herewith.

Remainder of This Page Left Blank Intentionally

WHEREFORE, Defendant respectfully request that this Honorable Court grant Defendant's Motion and dismiss this action in its entirety with prejudice or, in the alternative, compel Plaintiff to file a more definite statement.

Respectfully submitted,

Dated: August 10, 2023

Case Healthcare Solutions, Inc.

By Counsel:

/s/ Matthew E. Feinberg

Matthew E. Feinberg (*pro hac vice*)

Mansitan Sow (*pro hac vice*)

PILIEROMAZZA, PLLC

1001 G Street, N.W., Suite 1100

Washington, D.C. 20001

Ph: (202) 857-1000

mfeinberg@pilieromazza.com

msow@pilieromazza.com

/s/ S. Ray Hill, III

S. Ray Hill, III

Clayton O'Donnell, PLLC

1403 Van Buren Ave., Suite 103

Post Office Box 676

Oxford, Mississippi 38655

Ph: 662-234-0900

rhill@claytonodonnell.com

CERTIFICATE OF SERVICE

I, Matthew E. Feinberg, hereby certify that on this 10th day of August 2023, a true copy of the foregoing document was served on each party appearing pro se and on the attorney of record for each other party separately appearing by delivering a copy of the same via the United States District Court's online case filing system, CM/ECF, to:

Kristy Bennett, Esq.
Tressa V. Johnson, Esq.
Johnson & Bennett, PLLC
1407 Union Ave., Suite 807
Memphis, TN 38104

/s/ Matthew E. Feinberg
Matthew E. Feinberg, Esq.